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June 1999

MBOT News

A Communication to Missouri's Occupational Therapy Practitioners
from the Missouri Board of Occupational Therapy

MISSOURI BOARD OF OCCUPATIONAL THERAPY ESTABLISHED

The Missouri Board of Occupational Therapy held its first meeting on January 28, 1998. The Board was established by the General Assembly with the passage of Senate Bill 141, which was signed by Governor Mel Carnahan on July 1, 1997. The six-member Board was appointed by the Governor and confirmed by the Missouri Senate. The first appointments to the Board were announced in December of 1997. The Board is comprised of three occupational therapists: Judy Phillips, of Kansas City, Cynthia Ballentine of St. Louis and David Lackey of Ashland. Other members include an occupational therapy assistant, Kristine Moranville of Florissant, and two public members, Karen Hamlet of Cameron and George Reuter, Jr., of Holden. Ms. Hamlet was elected by the Board as Chairperson and Ms. Phillips was elected as Vice-Chairperson.

The Board of Occupational Therapy is a part of the Division of Professional Registration a division of the Missouri Department of Economic Development. The Division provides staff and administrative support for the Board. The Division of Professional Registration is responsible for the regulation of thirty-eight professional boards and commissions. These regulatory agencies are responsible for protecting the public interest with regard to services offered by licensed professionals in the state.

The Board of Occupational Therapy is responsible for developing, implementing and administering the rules and regulations necessary to carry out the Occupational Therapy Practice Act. These regulations include establishing the requirements for licensure, continuing competency, as well as the ethical standards of practice for occupational therapy practitioners. The Board is also responsible for investigating complaints related to the practice of occupational therapy. The Board's goal in carrying out its duties is to assure that Missourians receive

the highest quality occupational therapy services possible and that the profession develops in a manner that is productive for its practitioners and citizens of the state of Missouri. MBOT News will be published annually by the Board of Occupational Therapy to help achieve these goals. The newsletter is to provide timely and interesting information on the Board's activities to its licensees, interested individuals and entities.

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MEET THE BOARD

Governor

The Honorable Mel Carnahan

Department of Economic Development

Joseph L. Driskill, Director

Division of Professional Registration

Randall J. Singer, Director

Members of the State Board

Judy M. Phillips, OTR/L, Chairperson
Kansas City, Missouri

David J. Lackey, OTR/L, Vice-Chairperson
Ashland, Missouri

Cynthia R. Ballentine, OTR/L, Member
St. Louis, Missouri

Kristine M. Moranville, COTA/L, Member
Florissant, Missouri

George S. Reuter, Ed.D., Public Member
Holden, Missouri

Karen M. Hamlet, Public Member
Cameron, Missouri

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Judy M. Phillips was appointed to the Missouri Board of Occupational Therapy by Governor Mel Carnahan on December 11, 1997. Ms. Phillips has recently been reappointed to the board to fulfill a second term ending December 11, 2001 and is currently serving as Chairperson.

Ms. Phillips resides in Kansas City, Missouri and has an extensive background in acute care, rehabilitation, and behavioral health occupational therapy management in both large and small hospital settings as well as community based home health and school based pediatric practice.

Ms. Phillips received her BS in Occupational Therapy from the University of Kansas in 1977. She was certified by the American Occupational Therapy Association (AOTA) in 1978 and is a member of the AOTA.

She is past Director of Practice of the Missouri Occupational Therapy Association (MOTA) and the current Director of Membership of MOTA.



David J. Lackey was appointed to the Missouri Board of Occupational Therapy by Governor Mel Carnahan on January 23, 1998. Mr. Lackey's term will expire on January 23, 2000. Mr. Lackey is currently serving as Vice-Chairperson for the Board.

Mr. Lackey resides in Ashland, Missouri and currently works as a staff therapist at St. Mary's Health Center.

Mr. Lackey received his M.Ed. in Higher and Adult Education, emphasis in occupational therapy from University of Missouri-Columbia. He received an award from the School of Health Related Professions, University of Missouri-Columbia for Outstanding Occupational Therapy Student in May 1986 and Alumni of the Year in 1997.

Mr. Lackey was certified by the American Occupational Therapy Association (AOTA) in August 1986 and is a member of the AOTA and also a member of the Missouri Occupational Therapy Association (MOTA).



Cynthia Renee Ballentine was appointed to the Missouri Board of Occupational Therapy by Governor Mel Carnahan on November 14, 1997. Ms. Ballentine's term will expire November 14, 1999.

Ms Ballentine resides in St. Louis, Missouri and is presently employed at Washington University School of Medicine Program as a Community Practice Occupational Therapy Instructor.

Ms. Ballentine is a graduate of Washington University School of Medicine and received her M.S. in Occupational Therapy in 1991.

Ms Ballentine was certified as an occupational therapist in February, 1992. She is a current member of the American Occupational Therapy Association (AOTA), Missouri Black Occupational Therapy Caucus, and Missouri Occupational Therapy Association (MOTA).



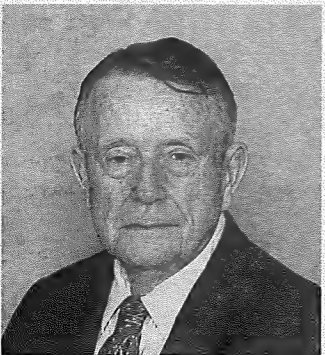
Kristine M. Moranville was appointed to the Missouri Board of Occupational Therapy by Governor Mel Carnahan on December 11, 1997 to serve a three-year term.

Ms Moranville resides in Florissant, Missouri. Presently she works part-time for SSM Rehab at St. Mary's Health Center in Clayton, Missouri.

She is also a part-time instructor at St. Louis Community College-Meramec in the occupational therapy assistant program.

Ms Moranville graduated from Madison Area Technical College in Madison, Wisconsin. She received her Associates Degree in Occupational Therapy in December 1983.

Ms Moranville is a member of the American Occupational Therapy Association (AOTA) and the Missouri Occupational Therapy Association (MOTA).



Dr. George S. Reuter, Jr. of Holden, Missouri was appointed by Governor Carnahan to serve as a public member on the Missouri Board of Occupational Therapy on November 14, 1997. His term will expire on November 14, 1999.

Dr. Reuter holds education degrees from Central Missouri University and University of Missouri (Ed.D.). He has retired

from a career as a teacher and school and college administrator,

but continues to serve as an author and consultant on educational and religious issues nationally and internationally. He has received numerous awards and honorary degrees. Dr. Reuter is also retired from the U. S. Naval Reserves (World War II) and with UNESCO.



Karen M. Hamlet was appointed to the Missouri Board of Occupational Therapy by Governor Mel Carnahan on December 11, 1997 as a public member. Her term expired on December 11, 1998. Ms. Hamlet has had the privilege of serving as Chairperson for the board from December 1997 through February 1999.

Ms. Hamlet resides in Cameron, Missouri. UMB Bank, N.A., Kansas City, Missouri is her employer.

Ms. Hamlet has received a paralegal degree from Missouri Western State College in St. Joseph, Missouri and has worked on a B.A. Degree in criminal justice w/emphasis in legal studies.

Ms Hamlet is active in many organizations and serves on various boards.



The members of the Missouri Board of Occupational Therapy wish to express their heartfelt gratitude to Terry Davis, Georgeanne Huckfeldt, Diana Baldwin, Suzanne Brown and Shaun Conway for their assistance in the drafting of board regulations.

Terry Davis, Division of Professional Registration, served as coordinator to the board during its organizational and rulemaking phases and proved to be a great asset to the Board.

Georgeanne Huckfeldt, Assistant Attorney General, provided legal advice to the board in its formative stage and was extremely helpful in the drafting of the board regulations.

Diana Baldwin, OTR/L, was instrumental in writing the Missouri Occupational Therapy Practice Act. She is currently the program director for the Occupational Therapy Curriculum at the University of Missouri, Columbia and served as a representative of MOTA in the drafting of board regulations to implement the statute.

Suzanne Brown, JD, with the American Occupational Therapy Association (AOTA), assisted the Board by providing information from other OT licensure boards and AOTA policies and guidelines.

Shaun Conway, OTR, with the National Board for Certification in Occupational Therapy (NBCOT), provided assistance and information to the Board regarding the NBCOT's examination, certification and disciplinary procedures.



NEW LEGISLATION

HB 343 was truly agreed to and finally passed on May 14, 1999. Among its 300 pages were several changes to Chapter 324 RSMo.

Section 324.050.2(7) now requires an occupational therapy aide to be under the direct supervision of an occupational therapist or occupational therapy assistant "at all times".

Section 324.056.2 removes "at all times" from the direct supervision by a licensed occupational therapist required for a licensed occupational therapy assistant.

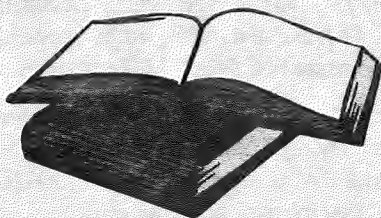
Section 324.071.1 requires that an applicant for a license to practice occupational therapy provide evidence of being "initially" rather than "currently" certified by a certifying entity.

Section 324.086(10) removes "Being guilty of" and adds (12) "Discipline in another state or by a certifying body", then renames (12) to (13).

With the Governor's signature, this law would become effective on August 28, 1999.

OT LICENSURE IS THE LAW

Section 324.056.1 RSMo states, "No person shall practice occupational therapy or hold himself or herself out as an occupational therapist or occupational therapy assistant or as being able to practice occupational therapy, or to render occupational therapy services in this state unless such person is licensed or holds a valid permit pursuant to sections 324.050 to 324.089". If you have reason to believe that occupational therapy services are being provided in this state by someone who does not hold a license to provide such services, you are encouraged to contact the board office.



LAW BOOK

As a licensee you are required to be in compliance with the statutes and board regulations relative to the practice of occupational therapy in this state. These statutes and rules are contained in the new law book mailed to you since January 1, 1999. Please familiarize yourself with all portions of the book to have a thorough understanding of the requirements to practice your profession under Chapter 324 RSMo.

ESTABLISHING REQUIREMENTS FOR LICENSURE

Before the Missouri Board of Occupational Therapy could issue limited permits or licenses to new applicants, the Board promulgated rules. The rules address requirements for application for licensure, a code of ethics and professional conduct for occupational therapy practitioners. The Board formed a Subcommittee for Rules and Continued Competency to develop rules for the Occupational Therapy Practice Act.

The rulemaking process seemed long and burdensome, but it is important to remember that the process is designed by statute to serve the public. Duly promulgated rules of a state agency have the force and effect of law.

The Subcommittee for Rules met frequently to draft the proposed rules. The rules were filed with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the State Register. Once the proposed rules were published, the Board accepted public comments regarding the proposed rules before seeking a final order of rulemaking. The rules became effective on December 30, 1998. On that date 1,400 licensure packets were mailed to individuals who had requested that their names be put on the mailing list. So far the Board has license 530 individuals since January 1, 1999.

GRANDFATHERING LICENSES

Chapter 324.071 made provision for certain practicing occupational therapists to be licensed during the period from August 28, 1997 through October 31, 1997 if they completed the application process. Under the provisions 1555 occupational therapists and 267 occupational therapy assistants were licensed with an expiration date of October 31, 1998. It was determined that regulations would not be in place prior to October 31, 1998, therefore a new license was mailed to each licensee at no charge to expire June 30, 1999. On April 1, 1999 a renewal notice was mailed to each licensee for a biennial license to expire June 30, 2001.

FEES

The board office has received a number of calls from licensees regarding the fee required for renewal of the occupational therapist and occupational therapy assistant license. When a profession seeks licensure, the proposed bill must include a fiscal note indicating what the establishment of licensure would cost and what fees would need to be assessed to obtain the required funds to operate the licensure board. These fees are determined based on statistics supplied by the profession regarding the estimated

number of individuals who would seek licensure and by the Office of Administration and the Division of Professional Registration who have experience in the establishment of new boards and the costs involved to provide building space, utilities, janitorial services, staff, printing and mailing costs, computers, phones, fax machines, file cabinets, auditing services, legal counsel, investigative services, board meetings and the many other services necessary for the operation of a licensure board.

The Missouri Board of Occupational Therapy was assigned by the Division on July 1, 1999 to share staff and office space with the State Board of Embalmers and Funeral Directors and the State Board of Podiatric Medicine.

The funds collected in this renewal cycle will have to fund the operation of the board for the next two years as the statute calls for a biennial renewal.

Board members are paid a \$50 per diem when conducting business of the board as outlined in the statutes. They are also reimbursed for actual expenses incurred in the performance of their duties as board members.

There is a provision in Missouri statutes for boards to file amendments to the fee rule to increase or lower the fees if the initial estimates upon which the fees were based prove to be in error. The board is required to collect only the amount of fees necessary for the operation of the board. Any fund balances determined to be excessive are by law taken into General Revenue for the state, so there is a great incentive to maintain fees at a level for the board to implement the statute but not to accumulate large fund balances. The expenditures of each board come under close scrutiny during the budget process each year and all money spent must have first been appropriated by the legislature.

ADDRESS CHANGE

A licensed occupational therapist, occupational therapy assistant or a limited permit holder shall inform the board in writing of any address or name change within thirty (30) days, pursuant to 4 CSR 205-1.060. Written notification may be made by **mail** to the Missouri Board of Occupational Therapy, P O Box 1335, Jefferson City, Missouri 65102, **facsimile** (573) 751-1155 or through the **internet** at <http://www.ecodev.state.mo.us/pr/octherap/>

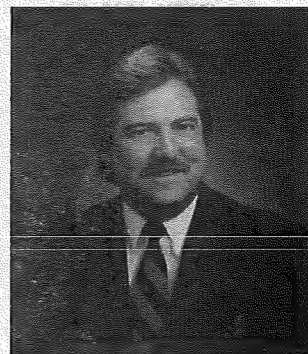
DISCIPLINE/COMPLAINTS

Sections 324.083, 324.086 and 324.089 RSMo give the board the authority to refuse to issue a license or to discipline a license for a number of stated reasons. Often discipline is based on information initially received in a complaint filed against a licensee. The board's complaint handling process is outlined in 4 CSR 205-1.040. If you feel you have evidence that a licensee has violated the provisions of this chapter or board regulations and wish to file a complaint with the board, the form is available by contacting the board office or on the board's web site.

A LETTER FROM THE DIVISION DIRECTOR

The Division of Professional Registration, the licensing and regulatory arm of Missouri State Government, is an integral part of the Department of Economic Development. Created by the Omnibus Reorganization Act of 1974, the Division is charged with protecting the public by licensing qualified professionals, enforcing professional standards and maintaining an open communication network with over 300,000 licensees. The regulatory agencies of the Division continually strive to assist the Department of Economic Development in its mission to develop, enhance and support a regulatory environment for professionals and consumers that preserves integrity and promotes ethical standards, while fostering a flexible and progressive approach toward the future.

In our effort to enhance professional services, the Division has embraced the philosophy of quality customer service. It is our goal, as well as our responsibility, to provide consumers with an accessible and accountable regulatory entity. We are committed to improving and maintaining our cooperative spirit.



Calendar

We welcome your attendance at the Open session of the Board Meeting and comments and suggestions about board matters.

JUNE

Board Meeting is scheduled on June 30, 1999, in Jefferson City, Missouri at the Division of Professional Registration.

SEPTEMBER

The National Board for Certification in Occupational Therapy's (NBCOT) Certification Examination is scheduled for September 18, 1999.

The National Board for Certification in Occupational Therapy's (NBCOT) Sixth Annual State Regulatory Workshop is scheduled for September 24-26, 1999, in Phoenix, Arizona.

Board Meeting is scheduled on September 29, 1999, in Jefferson City, Missouri at the Division of Professional Registration.

Missouri Board of Occupational Therapy

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